26. Rajyasevapravina U. Padmanabha Kukillaya, Ex-Advocate General, Trivandrum.
27. Mr. Malloor K. Govinda Pillai, Advocate, Trivandrum.
28. Sadasyatilaka T. K. Velu Pillai, Ex-Deputy President, Sri Mulam Assembly, Trivandrum.
29. Mr. N. Kumaran, Retired High Court Judge, Trivandrum.
30. ,, P. Subramoniam, Mayor, Corporation, Trivandrum.
31. ,, S. Krishna Aiyar, Member, Sri Mulam Assembly, Kottayam.
32. ,, Mannathu Padmanabha Pillai, President, Nair Service Society, Changanacherry.

STATEMENT BY THE PRESIDENT.

PRESIDENT: Before proceeding to make the communication under Standing Order 60, it is my duty to place on record—and in doing so I feel that I shall be voicing the sentiments and the feelings of every one present here, on behalf of and as the spokes man of this Assembly—our sense of the great loss sustained by the sister State of Cochin and India in general, by the demise of His Highness the Maharaja of Cochin. It is hardly necessary, speaking to the members of this Assembly constituting a large proportion of the intelligensia and the elite of the State, for me to dilate upon what His late Highness meant to us. During the period of that acute food crisis which overtook us and which was not less important and not less emergent than the present food crisis in Mysore and Madras of which we here so much and in regard to which so much is being done, the complete co-operation, the friendly assistance the helpful guidance of His Highness and his advisors, the successive Dewans of the State, was one of the potent factors which enabled us to surmount that crisis. In matters of Administrative detail as well as of political and economic importance, I need hardly say that His late Highness evinced brotherly feelings towards Travancore which His Highness of Travancore and the people of Travancore will not forget. I may, on this occasion, therefore ask that the House declare its intentions in the usual manner and place on record its sense of the loss sustained by Cochin and of India in general on the demise of His Highness the late Maharaja of Cochin, I have no doubt, that this House would empower me to communicate this resolution to the members of his family and to the Government of His Highness the Maharaja of Cochin.

The resolution was put and carried *nem con*, all the members standing.

PRESIDENT: It now devolves upon me to convey a message from His Highness and to make a communication under Standing Order No. 60. It will be remembered that communications from the Government to the Assembly are made by a speech by the Dewan or by a written message from the President. I propose to make a speech and communicate the message. The message primarily deals with the question of constitutional reforms.

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I think it is my duty, at this stage, to make certain points absolutely and irrefutably clear. It will be remembered that it was in 1888 that His late Highness the Maharaja of Travancore inaugurated a Legislative Council. That Legislative Council of 1888 was the first Legislative Chamber started in any Indian State. Certain powers and functions were assigned to that Legislative Chamber and they were later enlarged. In 1932 a further step was taken and an Act was passed to place the Sri Mulam Popular Assembly on a statutory basis with enlarged functions and two Chambers of the Legislature were brought into being. They are now functioning.

The first point that I desire to make in this connection is that, as will be seen from my narration, successive Maharajas have, out of their own free will and in order to satisfy the legitimate demands of their subjects, voluntarily delegated to their people a portion of their prerogative and right and brought into existence various legislative and other bodies. That there has been throughout India, a general urge towards greater control by the people of the functions and duties of Government, and that this urge or desire has been intensely manifested in political activities of various kinds is too familiar for me to expatiate upon. Suffice it to say, that throughout British India, there is now pulsating a demand for the devolution to the people of complete or at any rate, very extensive powers in the matter of fashioning their own destiny. It would be wrong, as I have distinctly stated more than once, to consider that the Indian States can afford to be outside this current or disregard this feeling which is well-nigh universal in the sub-continent of India. And I may say more than one Indian State has been giving expression to the same feeling. It may also be noted that His Highness the Nawab of Bhopal has, in a recent statement, made it clear that Indian States as a whole are willing to come into line with the general reforms of India.

So far as this State is concerned, we have certain advantages or peculiarities. We have a highly literate population; we have a well-educated and politically minded population. We have also the advantage of compactness of territory and population. We have a racial homogeneity which is perhaps unsurpassed elsewhere in India. With this background, which has been definitely indicated and outlined in the Press Communique that has recently been published, His Highness came to the conclusion that a very big step forward was possible and desirable. That step forward was the association of the people of this State with the Government to the fullest and the freest extent possible. The first *sine qua non*, for a Government of that type, would be to see that the persons who are liable to suffer most from bad Government or benefit most by good Government, should be given a chance to have a say in the conduct of that Government. Therefore, it was that, with special advertence to the importance of the underdog, of the man and woman in the village, the field and the cottage, the

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system of universal adult franchise has been contemplated. The Indian National Congress has considered the question and as I see from the recent pronouncement of Pandit Jawaharlal Nehru, he has come to the conclusion that there would be some difficulty in the introduction of adult suffrage in British India. This Government came to the conclusion that whatever might be the handicaps and difficulties attendant upon the introduction of adult suffrage elsewhere, those difficulties did not exist in this State, on account of the reasons to which I have already adverted, namely, the existence of a literate population, the homogeneity of race and culture and the general outlook of the people. It has, therefore, been decided by His Highness that adult suffrage should be introduced here.

It may be asked, in fact, it has been asked, what about the minorities, what about reservation? On these aspects there has been some criticism. And I am afraid that some very valuable and good friends of mine are making the same mistakes as some others who might be excused for making them. To them I would say that the idea of this Government is that the constituencies should be so framed as to see that every minority gets not only the representation that it now gets, but much more than that. It is an undertaking which I give on behalf of the Government, standing in this place and with a full sense of my responsibility, that every minority community will be given representation in the Assembly by delimiting the constituencies in such manner as I shall indicate. The idea of Government is that no one should be under the necessity of possessing either a motor car or even a push cycle for the purpose of canvassing his constituency. The constituencies will, therefore, be five miles or seven miles in length and no more. If it is necessary to have 300 members in the House in order to effect this, we will have that number. If it can be done with 200 or 150 members that will be done. But, in any case, a man standing for election should be able to *walk* to the House of every potential voter and get his support. Therefore this State will be divided into so many constituencies as will enable every intending candidate to canvass personally every individual voter.

How will this method affect the Muslims and Ezhavas, who are apparently feeling uneasy over this matter? The Ezhavas are the majority community in this State, being nearly one million in number, and so far as they are concerned, I can say that if there is going to be one community more represented numerically than any other it will be the Ezhava community, unless it be that they do not move in their own interest, or cannot organise themselves. The Ezhavas are slightly more than the Nairs, and no individual Christian community can exceed them in number, although the Christians, as a whole, might be more numerous. So, whatever Mr. Bhaskar's ideas may be, whichever community wants reservation, or weightage or anything of that kind, that community certainly will not be Mr. Bhaskar's. They are the largest, but they are handicapped under the present system,

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because they are economically poor and because they are not so fully able to organise themselves, as say, the Christian community which is undoubtedly financially superior, has been able to. They were untouchables till the other day, before the Temple Entry Proclamation, but they are now quite the equal of any other community. Therefore so far as the Ezhava community, at all events, is concerned, the allegation that this scheme is partial or unfair, is not quite justified.

The other communities that are now getting special weightages and reservations are the Muslims and the Latin Catholics.

Before I deal with these, I may indicate the procedure intended to be adopted by this Government. This Government propose to bring into existence as early as possible a Franchise Commission presided over by somebody outside Travancore, preferably, the Chief Justice of one or other of the High Courts in India. If the Chief Justice of Calcutta or the United Provinces will be willing to advise us, this Government will be glad. The Government of India will be asked to approach the various provincial Governments in India to give us an absolutely first rate person who will be free from bias, to preside over the Franchise Commission. Every community which is likely to be prejudicially affected by the franchise will have a seat on the Commission. There will be about 40 or 50 members on the Commission. The ultimate decision will be in the hands of the Commission which will be impartial.

Now let me deal with the Latin Catholics. The position is this. They are mainly distributed along the coastal tracts of Travancore and live contiguously to each other, and I give this undertaking definitely from my place here that the Latin Catholics will probably get double, if not treble the number of seats which they are now getting in this House.

In the case of the Muslims, the position is a little more complicated, though much more simple than my good friend Mr. P. S. Mohamed has made out in a somewhat impassioned utterance foreign to his usual character. It is sometimes forgotten that the Muslim population is congregated in specific localities like Alleppey, Kayamkulam, Thuckalai and some portions of North and Central Travancore. It cannot be beyond the wisdom of a Franchise Committee nor beyond the reasoning capacity of a thinking Government to make provisions for the election of members of the Muslim community through constituencies in which they are predominant and numerically large and to see that proportionately more than the number of Muslims that can possibly come in under the existing rules, come into the new House. Here again, I give the undertaking definitely and personally that there will be no difficulty or doubt that the Muslim community will be proportionately larger and stronger under the new franchise system in the new House than they had been in this House. After all, it must be remembered that the Muslim population of Travancore is only one-fourteenth of the population of Travancore. Obviously, the

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Muslims of Travancore cannot claim a preponderating part in the Government of this country. They will have to rely upon that system of give and take, upon that human essential urge towards compromise, towards amicable settlement with the majority communities. In view of the friendly feeling and good will in this country where the Muslims are not so much divided by race from their Hindu brethren as elsewhere, surely, I ask Mr. Mohamed whether there is not less reasonable chance of pessimism in Travancore than in other parts of India.

The constitution of the Upper House will be in reference to trade and commerce. In Alleppey, in Colachel, in Trivandrum, in Kottayam, the Muslim traders play an important part and there are many ways in which the Muslims can organise themselves into Chambers of Commerce and other organisations, so that they could get seats in the Upper House. But even in the Lower House on the basis of the adult suffrage I assure the Muslim friends that they have no reason to fear.

To recapitulate, I may say that the deliberate intention of the Government is to bring into existence an electorate, free from all communal bickerings or communal fissures and communal disintegration. The idea is that every man or woman of a particular age is entitled to play his or her part in the Government of Travancore ; and if he or she does so, he or she does so as a political or economic entity and not as a religious entity. The divorce of religion from politics is a *sine qua non* to the good government of a country and I trust that the new system of adult suffrage will be one of the first steps taken in India for the purpose of dealing with this question.

Now comes the question of other backward communities like the Sambavars, the Pulayas, the Nadars and so forth. There again, the problem is simpler in Travancore than in other parts of India. The Sambavars generally live in villages which are not contiguous and it is not possible to choose a constituency so that the Sambavars may have a chance. Quite apart from that, the Sambavars are agricultural labourers, and at present, as I am going to say it is the intention of this Government to give labour exactly the same representation as capital in the legislature of the future, numerically and in every other way. Thus, for instance, if a cashewnut merchant is entitled to send a man to the Upper House the cashewnut labourer will also be entitled to send a man to that House. The idea of Government is that in the representation of the functions, labour should get an exactly equal share in the governance of the country with capital. Now, most of the Sambavars and Pulayas are agricultural labourers and it is quite open to them, apart from the constituencies of the Lower House, to organise in such a manner that as agricultural labourers they will also be recognised in respect of the Upper House.

It is true that there are small communities which cannot be guaranteed any seat under this system. Take the case, for example, of the Washermen community. They are scattered throughout the

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country. No system of election can provide for a body of 20 or 30 thousand people scattered all over the country from Parur to Cape Comorin. Thus, it will be impossible for the Varnavas to get any seat in the new legislature. And further, there are a large number of minor divisions in this community. This is one of the drawbacks which I see in the future legislature. But to the extent to which the minorities will have to be protected in certain cultural or other rights, there can be a declaration of the fundamental rights; apart from that it is not possible to give a representation to very small minority communities. I am asked: "What about the Kammalas, the Artisans, the Blacksmiths, the Goldsmiths, and so on and so forth?". That is essentially a matter for facultative or functional representation. If the Kammalas organise as persons working in gold or silver they would be entitled to seats in the Upper House.

To recapitulate, the idea of the Government is that minorities like the Latin Catholics and the Muslims will be provided for in the Lower House and functionally in the Upper House and I give the undertaking that the proportionate number both of the Latin Catholics and Muslims will be so worked out that they will get more than what they have at present in the legislature.

Now, I come to the Upper House. I have been very fiercely criticised by friends as well as non-friends. The Upper House is going to be, if I may say so, very democratic. I reiterate and re-emphasise that statement and I do it for this reason. I have been in many elections and I know who can succeed in an election under the new scheme. The constituencies will be of fifteen or twenty square miles in area. The important man in the locality, the teacher who is going to play an important part in the future of the country, the doctor in the locality, the lawyer in the locality, all these men will have many chances for getting votes. The teacher or the lawyer will have the gift of expression. They can say what they want to say picturesquely and succinctly with the result that the votes would go to them. Whether you call out "Quit India" or "Jai Hind" or "Pakistan," the person who comes out with slogans will be voted in, as he is being elected today in India. In those circumstances, where is the chance for the labourers as such? Where is the chance for the blacksmiths as such—for the goldsmiths as such—for the cashewnut labourers as such? They may either rest upon nomination by His Highness' Government or have no chance at all. Persons who are the mere underdogs, the economically oppressed and depressed, talk of democracy. What is European democracy? It has been demonstrated that European democracy has failed to the extent to which it has depended upon politics rather than upon sociology and economics for its background. How do you expect these labourers and artisans to come in under adult suffrage? They will not. And, therefore it is, that the Upper House is constituted for the purpose of giving a chance to every one of these elements who would have no chance under adult suffrage scheme. That is the

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main idea underlying this scheme. The position, therefore, of the labourers, the artisans, the cottage as well as the larger industrialists, has not been sought to be neglected. For instance, what chance I ask, has Mr. Krishna Aiyar who is a sufficiently good friend of mine, to come into the legislature under adult franchise. I am afraid he will not have a chance to win if he has to go round crying those slogans. The capitalists, as such, would have no chance for coming in. Mr. Karayalar and Mr. Krishna Aiyar, and all those people like them, would be out of the legislature. But this Government are aware that without capital you cannot industrialise this country. Therefore, the capitalists are given a chance to come in just as there is a chance for labourers to come in. The various employers' organisations and the various industries will have representation in the Upper House. That House will consist of some 100 or more members and they will also be actively associated in the governance of the country. In other words, the actual life of the country will be more or less reflected in the Upper House. We want politics as well as economics and sociology. The Lower House will be a political House and the Upper one an Economic House and the interplay of economic and political forces will be realised in the legislature. That is the fundamental idea underlying the Upper House.

It must be remembered in this connection that there are no nominations at all. The President and the Deputy President of both the Houses will be elected by the legislature.

Now, I come to the actual work of the Government and that is an aspect on which Pandit Jawaharlal and others who are rather hasty in pronouncing opinions, have commented. The idea of the Government is that in future the administrative business will be conducted mainly through the legislature. I shall explain how and why There will be twenty or thirty committees nominated by the legislature covering the whole field of administration. Every single member of the Upper or Lower House will be in one or other of these committees and every member will be responsible for one or other branch of the administrative machinery.

Now, let us take the budget, for instance. Under the present system the Government frames a budget with the advice of the Financial Secretary. Under the new system the executive administration frames the budget. That budget is then recommended to the legislature. The legislature immediately appoints a committee of the Lower House and the Upper House which will go through every item of the budget except those that are "reserved." The scrutiny of the budget will be the combined work of that committee, and the Financial Secretary who is to be present in the committee not as a member but as an assessor or adviser of the committee exhorting them, warning them or advising them. That committee will send back the budget, so worked by the committee, to be placed before the legislature. In the legislature, the Financial Secretary will only give such assistance and advice as are necessary for the purpose of elucidating the difficult facts.

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The budget will be defended by the members of the committee. Then will arise healthy differences of opinion between one economic aspect of the budget and another economic aspect, whether cottage industries or larger industries should be given preference, etc. The Government, therefore, will have the budget as prepared by that committee of the legislature. The committees are not, therefore, advisory in the ordinary sense but executive committees. It is only in rare instances where Government, for reasons of paramount policy, find it unable to say yes, that they will exercise their power of veto. It is impossible to get rid of that power of veto for reasons into which I need not enter, but if the head of the administration or anybody in his place resorts to a series of intermittent and periodic and fragmentary vetoes, then His Highness may tell the head of the administration "Please go home and look after some other business which will be more congenial to you and to me." (*laughter*). Therefore, the Government's power of veto must necessarily not be regarded as one of the ordinary or normal features of administration. The resolutions of both the Houses may or may not register the dictates of the executive. As a matter in fact, I do not know whether there is going to be much cleavage between the economically ordered elements of the House and the politically ordered elements of the House. It is possible that the economically ordered elements of the House may be in favour of stability whereas the politically ordered elements of the House may be in favour of headlong reforms. Or, it may be the other way. It may be that in the matter of labour legislation, the Upper House will go farther than the Lower House, and it is not to be regarded for a moment as an admitted or as a conceded fact or circumstance that the Upper House will merely register the dictates of the executive. I trust it will, in the light of the remarks that I have made, be clear that the concurrent resolutions of both the Houses will be automatically given effect to by the Government. Therefore, the system of committees I have referred to and the provision that the resolution of either of the Houses after mutual concurrence will be given effect to by Government can, in my submission, carry out the administration of Government in accordance with the will of the legislatures. If this scheme comes to fruition, as I trust it will, what may be called the popular aspect of Government will be carried out far more effectively than in any country in Asia. I say so not in a spirit of exultation but I realise that such a thing is possible only in Cochin and Travancore and perhaps in Mysore.

I next come to the irremovable executive. Why is it that such a stress has been laid on the irremovable executive as opposed to responsible government in the British sense? I may at once say definitely that as I have stated elsewhere, I am one of those who think that responsible Government in the British Westminster sense is absolutely unsuited to British India and it will be a calamitous test, Parliamentary Delegation, or no Parliamentary Delegation, Parliament or

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no Parliament, if British India embarks upon that system. The reasons are as follows : Those who are aware of the French system of Government, of what took place in Brazil, Chile, Peru, Poland, Belgium and Italy know that the Parliamentary system of government is a plant or a flower or a shrub or a weed which grows best and thrives only in England. When the Parliamentary Delegation put this question to me, my answer was this : "You are not aware of the Indian character as I am and I am aware of the English character as much as you are. The English character is that you fight on normal occasions and unite in a crisis. Our character is we are friendly normally but divide and fight in a crisis. It is only when it is most prejudicial to people that we divide and fight. Whether you call yourself a Liberal or a Conservative, when it comes to a big question, continental election or foreign policy, you know how to behave."

In this connection, it may be interesting for my good friends if I read something assuredly interesting. Speaking the day before yesterday in the United Nations Security Council in London, Mr. Bevin said : "The British Government have been charged through the extraordinary organisation called the Communist Party which seems to act with unanimity in every country at the same time to attack Great Britain. Indeed, I know when I displease the Soviet Government because all shop stewards who are communists send me a resolution." This is not the statement of a Conservative Prime Minister. This is not the statement of the Rt. Honourable Mr. Winston Churchill. This is the statement of what may be called the piercing spear point of the Labour Government. When it comes to a crisis, when England is attacked by the Communist Party, there is no difference between Labour and Conservative. Another passage might be useful. "Finally, raising his voice to a shout, Mr. Bevin said : 'It has been the incessant propaganda of Moscow and the incessant propaganda of the communist party in every country in the world to attack the British people and the British Government as if there has been no friendship between us. That is a danger to the peace of the world."

When I speak of the Communist party I shall point out in a few moments, that there is no trouble in Travancore in which the Communist party does not play a part. The Catholics may say they do not want the fellowship of the communist party and that they do not like it. But no, the Communist party must join the issue in their agitation so that in that way they might embarrass the Government. Where Thangal Kunju Musaliar is not willing to announce an increase in wages, the Communist party must join the group to create trouble! Wherever it is possible to handicap or obstruct or hinder the Government of Travancore the Communist party is prepared to join in any political group, any social group, any organisation that is formed to organise processions, to brandish flags, utter slogans and say "the world is coming to an end and the Communists should save the world." (*Laughter.*)

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[President.]

So far as England is concerned, they have this advantage, *viz.*, that even if the Communist party should continue to be what they are, by tradition of a thousand years, they are drawn to act together especially in a crisis. But here it is not so, and therefore, I hold very strongly the view, and I do not mind taking the fullest responsibility for the admission, that it is unsuited to Indian conditions. Every effort should be made to prevent Responsible Government in the English sense in British India, unless and until we are able to develop the same conventions, the same habit of uniting in a crisis as England does. In Travancore, the experiment will proceed on the basis of continuity of administration.

Honourable members must be aware of what happened in Orissa. How many changes took place in their Ministry? Every Minister in the morning gets up with a thought of the number of followers that he would continue to have. What happened in Sind? Many Ministries have functioned there in the last two years. How many Ministries have been based upon political or economic ideals and how many have been based on the personal equations and the shape of the nose or colour of the eyes of A, B and C? That has been the case even in the United Provinces. Bengal too has not been different from this. My position is that England on account of the present dominance in the economic and social fields has got the leisure and although she has been harassed and crippled on account of the war,—and no one knows it more than those people who have known England how badly she had been brauded by the war,—nevertheless, England has got organisation, capital, skill and inherited aptitude for the purpose of playing this political game so that the changes of Ministry in England do not take place with the rapidity, the stereoscopic suddenness, and the kaleidoscopic variety of the Indian, Chinese, Argentine and Brazilian principalities. It was stated that although France was modelled on the British system there were thirteen Governments in two years; thirteen different Ministries functioned there in two years. How does one expect any Minister to plan ahead; how does anybody expect him, if he is constantly thinking of the number of people to support him, and of how to bribe, them to proceed with his programme? Therefore the idea is to give him a chance for two or three years and within that period, if he does not get his proposition passed by the House, then it is time for him to go out of the field. But let him be given adequate time so that his plans may be perfected and implemented for the benefit of the State. That is the *raison d'etre* of the irremovable executive. It will not be out of place here to read a letter that I have just received from a friend of mine, Major Graham Pole.

> "I see that there is some criticism of an irremovable Dewan, but that I think is probably a wise provision until it is seen how the new constitution works, after being given a fair trial.
>
> It is good to see that communal electorates can be done away with at least in one part of India.
>
> You have my heartiest good wishes for the success of your plan and my congratulations on your far-reaching reforms."

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I have done. This is the message that I have been asked to deliver to this House on behalf of His Highness' Government. In other words, His Highness has come to the conclusion that he will make as early as possible a Proclamation embodying the principles to which I have given utterance and thereby bring into existence a new constitution. It may be asked why this is not discussed by the House and by the people. Here I might say that I myself was labouring under a mistake But it cannot be discussed by the House for the simple reason that under the Act under which we are working, it is not open to discussion. The provisions are these:

Section 17 (1) of the Legislative Reforms Act says—"It shall not be lawful for the Council or the Assembly to consider and enact any measure relating to or affecting—

(*a*) * * * * *
(*b*) * * * * *
(*c*) * * * * *
(*d*) The provisions of this Act and the Rules framed thereunder."

Then under Rule 56 (1), no discussion of any resolution shall be permitted in regard to any of the following subjects:—

(*a*) any matter removed from the cognisance of the Chamber under Section 17 of the Act.

Then under Rule 66. A. (2) it shall not be permissible to the President or Government to give consent to the moving of any motion in regard to any of the subjects in regard to which a resolution cannot be moved and the decision of the Dewan on the point whether any motion is or is not within the restrictions imposed by sub-rule 56 shall be final.

That being so, it is not permissible, legally not within my power, to give permission for a discussion of any matter relating to this business. There is another reason. His Highness is acting in this matter in pursuance of his prerogative which is preserved by the last Section of the Act. It reads thus:

> "Nothing contained in this Act or Act II of 1097, Act I of 1095 or Act V of 1073 or Act II of 1063 shall affect or be deemed to have affected Our Prerogative right to make and pass Acts and Proclamations 'independent of the Legislature, which right is hereby declared to be and to have been always possessed and retained by Us."

His Highness has, in exercise of his prerogative, made up his mind to give up some of the rights inhering in him from the sum total under the abstract doctrine. There is a certain amount of confused thinking in this matter. In England today the Sovereign, His Majesty the King, is the ultimate repository of Legislative, Judicial and Executive Power. The Government in England in law is not different from autocracy. But such is the temper of Englishmen, such is the tradition of the British people, that they have made that autocracy, what is called the constitutional monarchy tending to constitutionalism. His Majesty's Government, from time to time, have delegated their power to the Privy Council or upon the House of Lords and in

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[President]

judicial matters, upon the Committees of the House of Commons. His Highness the Maharaja, by virtue of his prerogative, has similarly vested so much quantum of power subject to such and such conditions in his people. This is purely a gift of His Highness the Maharaja and this gift from His Highness the Maharaja to his people, embodied in a Proclamation, will be issued shortly. I, therefore, cannot admit any discussion on this matter. In fact, I am legally prevented from allowing a discussion.

So much with regard to Constitutional Reforms. And I take it that I have covered most of the ground. I have dealt with the Lower House as well as the case of the minorities especially the Latin Catholics, the Muslims and the Backward Communities. I have dealt with the Ezhavas. I have also pointed out that in essence the Upper House is more democratic than the Lower House. I have also said that the position of the Labourer, the Artisan, the cottage industrialist and the larger industrialist will be safeguarded. I have also indicated the exact position of the irremovable executive and how it is essential that it should remain in that manner according to conditions obtaining in the country.

Now I proceed to another matter which is not a message, but my remarks on certain salient features. I understand that there is a considerable amount of agitation carried on in this country, in India as a whole and in England. A very good friend of mine told me very recently that there was a certain amount of agitation on this subject proceeding in England. I wish to clear certain misconceptions on that question instead of speaking at length on the subject. The first point is just as in the case of adult suffrage, Government have taken upon themselves a duty and an obligation which is regarded as one of their elementary duties. Now rightly or wrongly, the Government have taken upon themselves the right as well as the duty to educate every section of the population in this State. I underline the words 'every section' of the population. Every person from the age of 5 to the age of 11 will come under that category. The Government have a right to educate every section of the population and every member of every section of the population. In order to discharge that duty they will have to bring into existence as many schools as will enable school children to attend schools without having to walk in the hot sun more than a mile or a mile and a half. Therefore throughout the State there must be, at intervals of a mile and a half, schools in which Government undertake to give instruction. The Government have taken upon themselves that duty. They have also taken upon themselves the right to punish the parents of the children between the ages of 5 to 11 who do not attend schools. Therefore, throughout the country, for every square mile or two, the Government have the duty and the right to bring into existence, a certain number of institutions and they have the right as well as the duty to punish people who do not send their children to those schools. If they find that children are not able to conduct their educational work without mid-day meals, if they find they are too poor for that,

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the Government have a duty to give mid-day meals daily. The Government have recently undertaken to discharge that duty. If the children are too poor to wear clothes just to cover their nakedness, Government have to provide them as well. Therefore the provision of cloth and the provision of mid-day meals are essential in the carrying out of the scheme of primary education. They are the fundamental features relating to the compulsory character of education. Government have said and wish to reiterate beyond the possibility of doubt and controversy that they are willing, anxious and ready to see that each member of every religious community is given necessary facilities for teaching the members of that community the tenets of their own religion. I underline the words "facilities for teaching the members of that community the tenets of their own religion". In other words, if there is a locality where there are five hundred Catholics and two thousand non-Catholics, Government have a right and a duty to offer instruction to all the 2500 students; Government are bound to provide schools as well as teachers for those 2500 students; Government are bound to provide mid-day meals and clothing for those students. But if the 500 Catholics say that they do not believe in our system of education and that we are conducting a kind of mutilated education as a result of which their students do not have that extent of faith and things of that kind and therefore our system of education jeopardises their children, then they can carry on their own system of education. Such Catholics are at perfect liberty to conduct their religious education for those 500 children between the ages of 5 to 11 which is the most impressionable and plastic period of a human being's career. They can look after their system of education. But they are not entitled to a grant from Government. I concede the position that if the Catholics feel that Catholic children should be brought up in a Catholic atmosphere they are at liberty to do so, for any number of hours. But no Government grant will be given. There is nothing to prevent the Catholics from conducting schools of their own, according to the directions of Government. If the Government have taken upon themselves the duty to educate all children between the ages of 5 and 11 throughout the State they have to set apart a certain amount and probably have to collect certain other sums by way of educational cess. Therefore those groups of institutions that want to contract themselves out have to meet their expenses from their own pockets. I have said and I reiterate that all possible methods which the different communities put forward will be considered by Government. Proposals on behalf of Muslims or Catholics or whoever it be, will be considered by Government provided they conform to the directions outlined by Government. The Catholics cannot claim that they have got the right to teach the non-Catholics. Government have the right to give any community primary education. Supposing there are 3000 children in a locality of which 500 are Catholics. Government have the right to give compulsory primary education to all those 3000 children. But the Catholic community cannot claim that they will impart primary

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education to all these children. In other words the non-Catholic population, the people who do not belong to the Catholic sect should not be forced to send their students to the Catholic school under the penal section of the Act.

Honourable members of the House may have noticed that it has been stated that the book entitled "Pilgrim's Progress" is anti-Catholic, and that therefore that book should not be taught. Now it is also stated by some writers that Shakespeare is anti-Catholic, that he has stated some hard things about them and that therefore his teachings should not be taught to the children of the Catholic community. To say therefore that the non-Catholics also should not be taught the teachings contained in those books is not a correct view of things. It cannot be said that "Pilgrim's Progress" is a rotten book or that Shakespeare is an 'inspired fool' as Voltaire has characterised him to be. If the Catholics or the Lutheran Mission or the Mahomedans want to have separate educational institutions for the purpose of conducting compulsory primary education for their own people I shall not stand in their way. If they want to teach the tenets of their own religion to those communities they are entitled to do so. But the question of financing these institutions by Government cannot be considered. I have said so and I must repeat the same in this House at the present moment. What I said on the first day when we met last time on this problem has not been borne in mind. Government have been accused of conducting a sort of religious persecution and as somebody called it, the Dewan, has been accused of pursuing a sort of militant Hindu attitude. That was how an amiable paper in London characterised the action of the Dewan. The question really is, who is militant? I have taken upon myself the responsibility of teaching one million pupils the fundamentals of primary education. I am also prepared to foot the bill for that purpose. If certain communities want to be outside the Act and conduct schools for their own children they are at perfect liberty to do so. They should not ask for the educational grant but they may be given financial aid which we will be giving for various other social service institutions. Such of the institutions that come and co-operate with Government will certainly be financed. I understand that about Rs. 2 lakhs is set apart for the purpose of grants to Catholic schools. I also find that some members of the ecclesiastical community are now and then apt to lose their ecclesiastic calm and poise because they lose this grant. They are exhorting the members of that community to conduct education in their own way. But all that is beside the point. If these amiable ecclesiastics and other people had said that they were losing two lakhs, this Government would have given them three lakhs. But their idea is not that. Till this moment neither the Catholics nor the Muslims have started more than 800 institutions, although about 3,000 primary schools have come into existence. Because the Government have taken upon themselves the duty of conducting primary education hereafter it is not open to you now to say that there is any obligation on the part of anybody to give instruction in such and such a locality. That is not a legitimate argument.

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The second point I wish to make clear is this. If it is put to the Government that such and such grievances exist, such and such inequalities, financial or otherwise, exist, then the Government will deal with them. But the position has been exactly like the State Congress and the Parliamentary Delegation. Telegrams by the score, by the hundreds and thousands have been sent to His Highness, with a request to His Highness to grant an interview. Obviously His Highness cannot discuss these things with all these persons. But not a single letter, until a month ago, has been addressed to the head of the administration asking for an interview or for a discussion. That is an absolutely irrefutable fact. I have it on official authority that numbers of telegrams have been sent from Ernakulam paying Rs. 100 to the sender of each telegram. I know the names of the people who have given Rs. 100 to send these telegrams. I do not want to mention the names. Some are in this House and some are not. Those who are in this House may be able to defend themselves but others may not. But I make the charge that people have been spending Rs. 100 per telegram. It is official information, official in the sense of Cochin and Travancore jointly. If this is the method adopted, you cannot possibly deal with the matter. I am perfectly prepared to discuss the matter if a deputation can meet me. As a matter of fact, my good friends, Sir Maharaja Singh and Mr. Ralliaram wanted to meet me on deputation and they published the fact. I know how many telegrams went to them not to compromise with the Government of Travancore, and not to meet the Dewan of Travancore, but to conduct the agitation relying upon the organisations and the telegrams. To these people I may say definitely and finally that the question of primary education is settled. There is no retracing. The Communique that has been published is final. The programme of primary education taken up by Government will be pursued steadily by this Government. There is no getting away from it. But individual cases of hardship, cases of communal hardship, cases of Catholic or Muslim hardship, if put forward before Government in the constitutional way, without threats, without bravado, without braggadocio or those methods of propaganda which are spectacular but which are certainly bound to be futile, will be given the utmost consideration. There are, amongst those who are ranged on the other side, very many friends of mine. There are people who have done conspicuous service to the country, high and noble services. Far be it from the intentions of Government to antagonise such very important elements of the population. No Government worth the name can afford to antagonise or alienate the wishes of these people, least of all the Catholics.

But the Catholics are not alone. There are other agitators. There was a conference held at Palai and at Madras presided over by Mr. V. K. John who has informed Mahatma Gandhi and the Parliamentary Delegation, that the view that the Delegation has taken of Travancore cannot be right. As a matter of fact in dealing with Travancore, all these things have been done. But the only proper

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method does not seem to have been so far adopted. If these people can realise that, the Government are only too anxious to take a harmonious view, of a concrete, political and social reform which they have adumbrated, and if they make their representations in the proper spirit, they will know that that spirit will be fully responded to not only with fairness but with special generosity and consideration. But if, on the other hand, they prefer to conduct their propagandist agitations, hold their meetings by the hundreds and thousands in Bombay, Karachi, Lucknow and Lahore and spend hard-earned money in sending telegrams, which only find repose in certain capacious receptacles which I need not name, then this programme will have to be pursued without reference to them. But I appeal in all seriousness and with the fullest sense of responsibility that the ultimate object of everybody should be to produce an educated nation. That education which the State alone can give, will only be general. Personally, although I am a Hindu, I cannot teach Hinduism to other Hindus for the simple reason that my conception of Hinduism does not involve the existence of a personal God. Here is the Inspector General who is a stout follower of a faith which is akin to the fundamental tenets of Christ's teachings. How can I as a teacher, teach Mr. Parthasarathy Aiyangar's child my Hinduism, without shaking Mr. Parthasarathy Aiyangar's faith and the faith of his child? Here is a Rao. Here is a Jain, a Sikh. One section of the Hindus cannot teach a child of another section without seriously infringing the religious tenets, attitudes, perspectives or outlook of that child and its parents. If the problem is theoretically and practically so insoluble in one single community, then how can anyone expect the State to start organisations for the teaching of religion to all the various religious denominations?

I have practically come to the end of what I have to say. About a week ago, I attended the most influential educational meeting in India, the meeting of the Central Advisory Board of Education, constituted by the Government of India for the purpose of dealing with the educational problems throughout India. That Central Board of Education was to have been presided over by the Honourable Minister for Education, Sir Jogendra Singh. He had to undergo an operation for cataract in the eye and therefore he was not present at the meeting. The Bishop of Lahore, being the senior Member of the Board, presided over the meeting held at Mysore on the 24th January 1946. At that meeting were present the Directors of Public Instruction of every Province in India, and of certain States like Hyderabad, Mysore and the representatives of Travancore and four or five other States. There was present Rajkumari Amrit Kaur. There was present Sir John Sargent, the foremost authority on education in India. The whole of this question of religious and ethical instruction was discussed there. I placed the point of view of the Travancore Government before the Board. I pointed out exactly what I have striven to point out to this House, namely that it would be an impossible task for the State to undertake religious education in the State.

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I am glad to inform this House that, without dissent—mark the words, my friends—without dissent, the Bishop of Lahore presiding, the following resolution was passed: 'Whilst appreciating the importance of ethical and spiritual instruction as a means of building up human character and as necessary to build up human society, this Council is deliberately of the opinion that such religious and moral instruction is the duty and the responsibility of the parents of the pupils concerned and of the communities of the pupils concerned and therefore not of the State.' Therefore, I have the irrefutable and the indisputable authority of the foremost educational body in India, that the State should not, cannot and ought not to interfere with religious instruction. Therefore, if those who, at present agitate, will now reorder their attack, and if they will come forward with a scheme to push up the general programme, that will be a welcome step. But if, on the other hand, they say that it has been laid down in the Gospels that it is the duty of every Christian to convert the whole world and proceed on that basis, the State cannot allow that. I am myself a follower of Sri Sankaracharya. If he says I must convert the whole world, I might follow him theoretically. But the fact is, whatever they might say, the State cannot be expected to undertake it. Now, if the Catholics, the Lutherans, or the Salvation Army want to teach their followers for not only one hour or two hours but for eight hours of the day, not only will they be allowed to do so but they will be paid for their work. But if the idea is that the whole scheme should be wrecked because their present demand cannot be met, that cannot be tolerated. That is what I have to say on the question of primary education.

I am glad to say that realising the full force of what I have been saying the London Mission Society have come to an agreement with this Government under which they have taken over their schools on the following conditions. The London Mission Society owns a number of primary schools. The Government have ordered that the Church authorities who own sites and, in some cases, buildings fit for primary schools may be permitted to use the buildings for conducting religious instruction or for using them as prayer halls on Sundays and during non-school hours for pupils of their own denomination provided no damage is done to the furniture, and that the maintenance of the schools should be attended to departmentally, and that the teachers now in service in the respective schools should be taken over to the department if they are fully qualified. They have also ordered the pay of the primary school teachers to be fixed at Rs. 25, with an allowance of Rs. 5 to one teacher. They did not want those buildings but they have handed over those buildings. In Bombay and in Patna I was asked by infuriated friends of mine 'What is the meaning of confiscating buildings on which so much money has been spent'? I will make it clear that I do not want those buildings; none of them will suit me. I will build new schools on certain designs prepared by my experts; if buildings are offered and if they are satisfactory I shall take them. It happens that these buildings are satis-

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factory and we have decided to take them over. I am glad to say, therefore, that the London Mission authorities have now come into an agreement with the Government for the purpose of handing over their schools and I have great hopes—probably my hopes are too flattering—that other denominations will also come into line.

There is one aspect of the matter which I want to point out. There may be honest differences of opinion on the methods and the outlook of the primary education policy. But ecclesiastics who go round the places asking people in toddy shops to throw out the primary education programme of Government, are really going beyond their province. I say that because I have it on authority. Two instances were brought to me, one by the Excise Commissioner, and the other by the Inspector-General. If necessary I will give the names to the honourable members. But if ecclesiastics transcend their limitations, and their jurisdiction under the guise of starting a temperance propaganda, they will be dealt with suitably, ecclesiastics or no ecclesiastics.

I lastly come to the question of the Communists. What is happening throughout the State is this: under the pretext of either the independence day, or some political demonstration, or the birthday of leaders like Subash Bose, processions are started. In places like Alleppey the processions involve twelve or fifteen thousand people. It is detrimental to the larger interests of industry to call for such processions and the Government have therefore prohibited processions though they have not prohibited meetings. I may say that the Government propose to keep up the ban on processions unless they are conducted in a better manner.

About flags, Pandit Jawaharlal Nehru was vehement against this Government. I have very great respect for the Congress flag. But the Congress is not ruling India today. It may do so tomorrow, and then it is a different matter. When they rule, their flag will become the Government flag and then the Congress flag and the Travancore flag will fly majestically side by side in the air. But until then I should make no difference between the Congress flag and the Hammer and the Sickle. The Communists are very much worried about that flag. In Travancore we are bound by treaties and the British flag and the Travancore flag will fly in public places.

In public places the Travancore flag.....

MR. K. K. CHELLAPPAN PILLAI (*Mavelikara cum Kunnattur*): Is there a provision in the treaty to that effect?

PRESIDENT: Order, order. If people are wilfully irrelevant they cannot be answered. If they are reasonably irrelevant it is possible to answer.

MR. K. K. CHELLAPPAN PILLAI: I do not understand why the President should have made such a remark.

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PRESIDENT: Order, order. I adhere to the position that the honourable member's remarks were wilfully irrelevant, because the treaties provide that the Government of His Majesty is the Government to which allegiance should be borne by His Highness the Maharaja. His Highness is under treaty obligations of a certain character and those treaty obligations necessarily impose respect for and open demonstration of the British flag. Therefore, so long as the treaty relations continue and so long as the British Government has the allegiance of the State, the British flag is the ultimate flag in the State.

MR. K. K. CHELLAPPAN PILLAI: One word more, Sir. Does the Dewan know that the National flag is flown in Mysore?

PRESIDENT: If that is so, I dissent strongly from the policy of the Mysore Government and I have no hesitation in proclaiming that. I trust that my words will be carried further, out of this Chamber.

MR. K. K. CHELLAPPAN PILLAI: Sir, it is allowed to fly even after such a long fight about it had taken place——

PRESIDENT: Order, order. I happen to know the inside story of the conditions relating to that question. I know what happened after the visit of Vallabhbhai Patel to Mysore. Nevertheless I say, definitely and openly, that if the Mysore Government allow the Congress flag to fly side by side with the British flag, they are not doing the right thing in my humble opinion, and I proceed to say that if and when the Congress becomes the ruling factor, as in the course of a few weeks it may become, then the position may be different. But until then this Government cannot make any distinction between the flag of the Indian National Congress or of the Muslim League or the Communist, or any other flag. If, for instance, the Congress flag is hoisted my friend Mr. P. S. Mahomed may get excited. He will turn round and say: "What about my Muslim League flag?" And Mr. Chellappan Pillai, whose integrity and whose definite adherence to well-accepted political principles I respect, may get excited over the Communist 'Hammer' and Sickle', which symbolises the abolition of private property.

MR. K. K. CHELLAPPAN PILLAI: Since the treaty does not say that Government should rule the individual out of his liberty, my submission is that Government should allow the individual to fly that flag in public.

PRESIDENT: Order, order. This is neither in order nor permissible and therefore it is ruled out of order.

Only two more statements remain to be made. I am glad to announce that a special Labour Department has been formed for the purpose of looking after the interests of labour. Mr. V. K. Velayudhan is the Head of the Department and is to be assisted by Mr. M. O. Varghese and Mr. P. N. Krishna Pillai. The necessary notification on this will be issued soon. Here, I wish to warn the Communist Party who are starting general strikes throughout India or, at all events, throughout the State. I may say that in those attempts they are

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hindering the industrial progress of the State. There are ways in which such attempts may be dealt with. This Government is not pro-capitalist and I want to make that matter clear. I think my capitalist friends are disgruntled because of that. But if general strikes are being threatened on every possible occasion, the necessary steps will be taken and so long as the Defence of Travancore Rules are in force they will be applied. If there is no rule in force, the necessary legislation will be made.

I have done. I thank the honourable members.

MR. K. K. CHELLAPPAN PILLAI: As regards the motions that are ruled out of order.

PRESIDENT: Order, order. I have not come to that.

MR. K. A. MATHEW: Now that you have made a statement, I want to say a few words.....

PRESIDENT: Order, order. I am ruling as out of order all the resolutions of which notices have been given. They are resolutions given notice of by Mr. Pereira, Mr. Chellappan Pillai, Mr. Janardhanan Pillai, Mr. Mathew and Mr. T. K. Narayana Pillai. I am ruling them out of order.

MR. T. K. NARAYANA PILLAI: Sir, one word of explanation. Will the Chair be kind enough to explain whether it is not beyond the jurisdiction of the President, having admitted the resolutions, to rule them out of order?

PRESIDENT: Order, order. It is an act of Royal prerogative and under the rules no discussion can be allowed.

MR. K. A. MATHEW: Since the matter is of very great importance to the country, and as discussion on it is sought to be shut out in the House after the resolutions having been admitted by the President, and as it is an insult to this House, I and my friends feel that we cannot participate in the proceedings of the House for the rest of the day. As a mark of protest, I withdraw from the House. I am sure my fellow members in this House who feel in this matter will also withdraw and thereby express their protest.

Following the statement of Mr. K. A. Mathew the members noted below walked out of the Legislative Chamber:

1. Mr. K. A. Mathew
2. „ P. S. Nataraja Pillai
3. „ A. P. Udayabhanu
4. „ S. Sankaranarayanan Tampi
5. „ P. K. Varghese
6. „ K. T. Michael
7. „ V. I. Idyculla
8. „ K. K. Chellappan Pillai
9. „ Varghese Ithac
10. „ T. K. Narayana Pillai
11. „ G. Parameswaran Pillai
12. „ Varkala K. Madhavan
13. „ K. Balakrishna Menon.

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PRESIDENT: I fully note the exhortation and advice you have given to the honourable members.

Order, order. The House will now adjourn and meet again at 2-15 p. m.

The House adjourned for lunch at 1-15 p. m.

The House reassembled at 2-15 p. m with the Dewan-President in the Chair.

MR. CHAZHIKATTU JOSEPH: Sir, I have to make a statement.

PRESIDENT: Yes.

MR CHAZHIKATTU JOSEPH: ഖണ്ഡിനമുൻപു നടന്നതായ ഒരു കാര്യത്തെപ്പറ്റിയാണു് എനിക്കു ഇപ്പോൾ പറയുവാനുള്ളതു്. സർ, ഇപ്പോഴത്തെ ഭരണം പരിഷ്ക്കാരത്തെപ്പറ്റി വാദപ്രതിവാദം നടത്തുന്നതിനായി ഒന്നരണ്ടു പ്രമേയങ്ങൾ ഈ യോഗത്തിൽ ഹാജരാക്കിയിട്ടുണ്ടു്. അതനുസരിച്ചു വാദപ്രതിവാദം നടത്താൻ അനുവദിക്കാതെ രാജ്യദ്രോഹകരമായ കയ്യേറ്റം ഉണ്ടായതു. അദ്ധ്യക്ഷസ്ഥാനത്തു നിന്നും അതിനെ നിരോധിച്ചു് പ്രൊട്ടസ്റ്റു് ചെയ്യാൻവേണ്ടി ഞാനും എന്റെ എതാനും സ്നേഹിതന്മാരും കൂടി വാക്കൗട്ടു ചെയ്യുന്നു.

PRESIDENT: Yes.

The following members then walked out of the House:

1 Mr. Chazhikattu Joseph;
2 ,, P. K. Kuriakose;
3 ,, P. O. Thomas;
4 ,, D. Thomas; and
5 ,, K. M. Paul.

PRESIDENT: Apart from the belated walk-out which has now been staged on further consideration, for the purpose of recording in the proceedings the Assembly, it may be noted that the following is the list of persons who walked out of the House :-

1 Mr. T. K. Narayana Pillai;
2 ,, K. Balakrishna Menon;
3 ,, G. Parameswaran Pillai and
4 ,, Varkala K. Madhavan.

These are the four persons belonging to what is known as the people's party who walked out of the House.

1 Mr. K. A. Mathew;
2 ,, P. S. Nataraja Pillai;
3 ,, A. P. Udayabhanu;
4 ,, K. K. Cheilappan Pillai;
5 ,, V. I. Idiculla;
6 ,, K. T. Michael;
7 ,, S. Sankaranarayanan Tampi;
8 ,, K. Varghese Ithac; and
9 ,, P. M. Varghese.

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[President.]

These gentleman belonging to State Congress party have also walked out of the House. Now Mr. Chazhikattu Joseph and his friends have walked out of the House.

MR E. K. MADHAVAN: Sir, my name is not included.

PRESIDENT: Are you just now going out or are you one of those who are coming back?

MR. E. K. MADHAVAN: sir, I am one of those who walked out before lunch interval. My name is not included in the list just now read out by the President.

PRESIDENT: I will include your name also. Then why is the honourable member here? It was stated by Mr. Mathew that he and his group were going to walk out and not to take part in the work of the Assembly until the close of this day. On that basis a number of people walked out. I find that some of the members who have walked out have come in.

MR. T. K. NARAYANA PILLAI: I wish to make a statement. I walked out in protest for not allowing motions regarding the Constitutional Reform to be moved. I did not think it necessary to stay out for the whole of the day. I am speaking on behalf of my party also.

PRESIDENT: For the purpose of recording in the proceedings of the House it may be noted that Messrs. T. K. Narayana Pillai, Varkala K. Madhavan, K. M. Paul, K. Balakrishna Menon, and G. Parameswaran Pillai walked out before lunch and came back after lunch as they only wanted to express a formal protest.

ADJOURNMENT MOTIONS.

PRESIDENT: The following Adjournment motions have been sent to me.

MR. S. SANKARANARAYANAN TAMPI:

"I move that the business of the House may be adjourned to discuss a definite matter of urgent public importance, viz., the strike situation prevailing in all the factories in Quilon, precipitated by the unsympathetic attitude of the managements and the failure of the Labour Commissioner to intervene in time."

The member is not in his seat and so it cannot be moved.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI:

"I beg leave to move that the business of the House be adjourned for the purpose of discussing a matter of urgent public importance, namely, the serious situation brought about by the malicious and unnecessary destruction by the special staff appointed for the 'Bunchy Top' disease, of plantains from certain parts of the State where there is absolutely no disease, and the consequent heart-burn and irreparable loss which the plantain growers in such areas are put to, as the result of the unsympathetic refusal of the Director of Agriculture to conduct a local inspection in spite of repeated representations made by the public and their representatives."

That will be moved tomorrow afternoon.

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